

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **TOMAS M DUENO ESPADA
MERCEDES E LUGO RODRIGUEZ**
Debtor(s)

CASE NO: **16-00470-ESL**

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **01/26/2016**

First Meeting Date: **02/25/2016 at 1:00PM**

Days From Petition Date: **280**

341 Meeting Date: **11/01/2016 at 11:00AM**

910 Days Before Petition: **07/30/2013**

Confirmation Hearing Date: **04/01/2016 at 11:00AM**

Chapter 13 Plan Date: **04/04/2016** ☐ Amended

Plan Base: **\$578,400.00** Plan Docket # **53**

This is Debtor(s) 2 Bankruptcy petition.

This is the 2 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$14,610.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☒ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): **Moreno**

☐ Pro-se

☒ Creditor(s) Present ☐ None

Capitol Bautista Cayman Asset -- Liz Alvarez

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **MORENO & SOLTERO LAW OFFICES LLC***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$0.00** Outstanding (Through the Plan): **\$3,000.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income

Liquidation Value: **\$ 216,524.00**

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B)

Projected Disp. Inc.: **\$ 31,286.40**

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ____ %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for:_____

Comments:

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]
-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

TD IRON Corporation filed a Chapter 7 16-01192, debtors are operating as working as a DBA.

[1325(a)(6)] Feasibility – Debtor(s) does not has/have the capacity to make proposed plan payments.

Debtor need to submit evidence how they will be able to step up plan payment to \$5,400.00 in March 2017.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

Bar date elapsed suggested minimum base \$752,735.00.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

As per schedule J income from Property Located at Pueblo Seco is \$2,700.00 versus the contract submitted , that the rent income form Pueblo Seco totals \$5,650.00.

*OTHER COMMENTS / OBJECTIONS

Debtor (Mr. Dueno) mother, is the 1/2 owner of the property that the plan proposes to sell, a sworn statement from Mrs. Margarita Espada stating she is in agreement with the sale of the property.

/s/ Jose R. Carrion, Esq. Meeting Date: Nov 01, 2016
Trustee

/s/ Juliell Perez, Esq., Presiding Officer